

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

ISHMAEL A. EVANS	§	
VS.	§	CIVIL ACTION NO. 1:23-CV-128
JOHN W. SIBANDZE	§	

ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Ishmael A. Evans, a prisoner previously confined at the Stiles Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against John Sibandze.

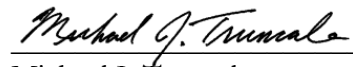
The Court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. On January 31, 2025, the magistrate judge recommended granting Defendant's motion for summary judgment and dismissing the action. To date, the parties have not filed objections to the report and recommendation.

The Court received and considered the Report and Recommendation of United States Magistrate Judge pursuant to such referral, along with the record, pleadings and all available evidence. Proper notice was given to Plaintiff at his last known address. *See* FED. R. CIV. P. 5(b)(2)(C). After careful review, the Court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge [Dkt. 32] is ADOPTED. A final judgment will be entered in accordance with this memorandum order.

**SIGNED** this 24th day of February, 2025.



---

Michael J. Truncala  
United States District Judge